

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-02463-KBJ**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF  
VETERANS AFFAIRS et al

Assigned to: Judge Ketanji Brown Jackson

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 10/25/2018

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN OVERSIGHT**

represented by **Daniel Alexander McGrath**  
AMERICAN OVERSIGHT  
1030 15th Street, NW  
Suite B255  
Washington, DC 20005  
(202) 897-4213  
Email: [daniel.mcgrath@americanoversight.org](mailto:daniel.mcgrath@americanoversight.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. DEPARTMENT OF VETERANS  
AFFAIRS**

represented by **Denise M. Clark**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**U.S. DEPARTMENT OF DEFENSE**

represented by **Denise M. Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/25/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS ( Filing fee \$ 400 receipt number 0090-5758881) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(McGrath, Daniel) (Entered: 10/25/2018)
10/25/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (McGrath, Daniel) (Entered: 10/25/2018)
10/29/2018		Case Assigned to Judge Ketanji Brown Jackson. (zrdj) (Entered: 10/29/2018)
10/29/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrdj) (Entered: 10/29/2018)
11/08/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/29/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 11/28/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/5/2018.,

		RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF DEFENSE served on 11/5/2018; U.S. DEPARTMENT OF VETERANS AFFAIRS served on 11/5/2018 (Attachments: # <u>1</u> Declaration)(McGrath, Daniel) (Entered: 11/08/2018)
11/08/2018	<u>5</u>	GENERAL ORDER AND GUIDELINES APPLICABLE TO FOIA CASES ASSIGNED TO JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Court's instructions for processing and production of records, batching motions, and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 11/8/2018. (lckbj1) (Entered: 11/08/2018)
11/28/2018	<u>6</u>	NOTICE of Appearance by Denise M. Clark on behalf of U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS (Clark, Denise) (Entered: 11/28/2018)
11/28/2018	<u>7</u>	ANSWER to Complaint by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS.(Clark, Denise) (Entered: 11/28/2018)
12/17/2018		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall review this Court's <u>5</u> General Order and Guidelines Applicable to FOIA Cases, and promptly confer and file a joint proposed schedule for disclosure or briefing motions for summary judgment, on or before 1/7/2019. Signed by Judge Ketanji Brown Jackson on 12/17/2018. (lckbj1) Modified on 12/17/2018 (zgdf). (Entered: 12/17/2018)
01/07/2019	<u>8</u>	Unopposed MOTION to Stay ( <i>Defendants' Unopposed Motion to Stay Proceedings in Light of Lapse of Appropriations</i> ) by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS (Clark, Denise) (Entered: 01/07/2019)
01/07/2019		MINUTE ORDER granting <u>8</u> Motion to Stay in light of lapse of appropriations. For good cause shown, it is hereby ORDERED that this case is STAYED as applied to the duties of the Department of Justice attorneys. Counsel for Defendant shall notify the Court as soon as Congress has appropriated funds; at that point, the Court will enter an order resetting the applicable deadlines, which will be extended day-for-day with the duration of the lapse in appropriations. Signed by Judge Ketanji Brown Jackson on 1/7/2019. (lckbj1) (Entered: 01/07/2019)
01/28/2019	<u>9</u>	NOTICE of Restored Government Funding by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS (Clark, Denise) (Entered: 01/28/2019)
02/05/2019		MINUTE ORDER. Defendant has provided notice that that an appropriations act providing funding to the Department of Justice for a three-week period of time was enacted on January 25, 2019 (ECF No. <u>9</u> .) Accordingly, it is hereby ORDERED that the stay in this matter is lifted, and that on or before 2/15/2019, the parties shall file a joint proposed schedule for further proceedings, including three proposed dates and times for the mid-discovery status conference that was previously set for 1/22/2019. Signed by Judge Ketanji Brown Jackson on 1/29/2019. (lckbj1) (Entered: 02/05/2019)
02/15/2019	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS. (Clark, Denise) (Entered: 02/15/2019)
02/20/2019		MINUTE ORDER. In light of the representations in the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 3/15/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 2/20/2019. (lckbj1) (Entered: 02/20/2019)
03/15/2019	<u>11</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (McGrath, Daniel) (Entered: 03/15/2019)
03/18/2019		MINUTE ORDER. In light of the representations in the parties' <u>11</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 4/16/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on

		3/18/2019. (lckbj1) (Entered: 03/18/2019)
04/16/2019	<u>12</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS. (Clark, Denise) (Entered: 04/16/2019)
04/18/2019		MINUTE ORDER. In light of the representations in the parties' <u>12</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report on or before 5/16/2019, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 4/18/2019. (lckbj1) (Entered: 04/18/2019)
05/16/2019	<u>13</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (McGrath, Daniel) (Entered: 05/16/2019)
05/20/2019		MINUTE ORDER. In light of the representations in the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that, on or before 6/27/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 5/20/2019. (lckbj1) (Entered: 05/20/2019)
06/27/2019	<u>14</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (McGrath, Daniel) (Entered: 06/27/2019)
06/27/2019		MINUTE ORDER. In light of the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that, on or before 8/22/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 6/27/2019. (lckbj1) (Entered: 06/27/2019)
08/22/2019	<u>15</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (McGrath, Daniel) (Entered: 08/22/2019)
08/27/2019		MINUTE ORDER. In light of the representations in the parties' <u>15</u> Joint Status Report, it is hereby ORDERED that, on or before 10/23/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 8/27/2019. (lckbj1) (Entered: 08/27/2019)
10/23/2019	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF DEFENSE, U.S. DEPARTMENT OF VETERANS AFFAIRS. (Clark, Denise) (Entered: 10/23/2019)
10/24/2019		MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that, on or before 12/11/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 10/24/2019. (jag) (Entered: 10/24/2019)